



2151

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application No.	10/081,053
		Filing Date	February 21, 2002
		First Named Inventor	John Alan Miller
		Group Art Unit	2151
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission		Attorney Docket Number	42P13415

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form  <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):
		-return receipt postcard -copies of 5 cited references - PTO form SB/08
Remarks		

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APR 25 2002

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Paul A. Mendonsa, Reg. No. 42,879  BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	April 18, 2002

### CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

April 18, 2002

Typed or printed name	Catherine D. Louthan		
Signature		Date	April 18, 2002

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# FEE TRANSMITTAL for FY 2002

*Patent fees are subject to annual revision.*

Applicant claims small entity status. See 37 CFR 1.27.

**TOTAL AMOUNT OF PAYMENT** (\$)

*Complete if Known*

Application Number	10/081,053
Filing Date	February 21, 2002
First Named Inventor	John Alan Miller
Examiner Name	Not Yet Assigned
Group/Art Unit	2151
Attorney Docket No.	42P13415

## METHOD OF PAYMENT (check one)

Check     Credit card     Money Order     Other     None  
 Deposit Account

Deposit Account Number **02-2666**

Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below     Credit any overpayments  
 Charge any additional fee(s) during the pendency of the application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
101	740	201	370	Utility filing fee
106	330	206	165	Design filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional filing fee
<b>SUBTOTAL (1)</b>		(\$)		

### 2. EXTRA CLAIM FEES

Total Claims	30	Independent Claims	3	Extra Claims	Fee from below	Fee Paid
				=	X	=
				=	X	=

Multiple Dependent

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple Dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		(\$)		

\*\*or number previously paid, if greater. For Reissues, see below

### 3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	105	130		205	65	Surcharge - late filing fee or oath	
	127	50		227	25	Surcharge - late provisional filing fee or cover sheet	
	139	130		139	130	Non-English specification	
	147	2,520		147	2,520	For filing a request for ex parte reexamination	
	112	920*		112	920*	Requesting publication of SIR prior to Examiner action	
	113	1,840*		113	1,840*	Requesting publication of SIR after Examiner action	
	115	110		215	55	Extension for reply within first month	
	116	400		216	200	Extension for reply within second month	
	117	920		217	460	Extension for reply within third month	
	118	1,440		218	720	Extension for reply within fourth month	
	128	1,960		228	980	Extension for reply within fifth month	
	119	320		219	160	Notice of Appeal	
	120	320		220	160	Filing a brief in support of an appeal	
	121	280		221	140	Request for oral hearing	
	138	1,510		138	1,510	Petition to institute a public use proceeding	
	140	110		240	55	Petition to revive - unavoidable	
	141	1,280		241	640	Petition to revive - unintentional	
	142	1,280		242	640	Utility issue fee (or reissue)	
	143	460		243	230	Design issue fee	
	144	620		244	310	Plant issue fee	
	122	130		122	130	Petitions to the Commissioner	
	123	50		123	50	Processing fee under 37 CFR 1.17(q)	
	126	180		126	180	Submission of Information Disclosure Stmt	
	581	40		581	40	Recording each patent assignment per property (times number of properties)	
	146	740		246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
	149	740		249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
	179	740		279	370	Request for Continued Examination (RCE)	
	169	900		169	900	Request for expedited examination of a design application	
	Other fee (specify)						

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

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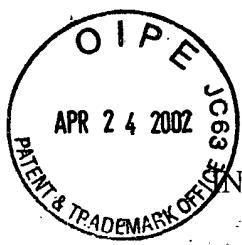
APR 25 2002

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SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Paul A. Mendonsa	Registration No. (Attorney/Agent)	42,879	Telephone	(503) 684-6200
Signature				Date	04/18/02

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Docket No.: 42P13415

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

JOHN ALAN MILLER, ET AL.

Application No.: 10/081,053

Filed: February 21, 2002

For: **METHOD AND SYSTEM TO USE AND  
MAINTAIN A RETURN BUFFER**

Art Group: 2151

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

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**Technology Center 2100**

In accordance with the duty of disclosure, enclosed is a copy of Information Disclosure Statement by Applicant (form PTO/SB/08), which is being submitted within three (3) months of filing of the application. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s). Copies of the references cited on PTO/SB/08 are enclosed herewith.

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

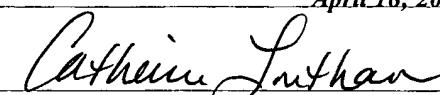
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: April 18, 2002

  
Paul A. Mendonsa, Reg. No. 42,879

12400 Wilshire Blvd., 7th Floor  
Los Angeles, California 90025  
(503) 684-6200

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Catherine D. Louthan  
April 18, 2002  
04-18-02  
Date

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Substitute for form 1449A/PTO  
**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
*(use as many sheets as necessary)*

Sheet 1 of 2

Sheet 1 of 2

Sheet 1 of 2 Attorney Docket Number 42P13415

## **U.S. PATENT DOCUMENTS**

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APR 25 2002

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#### **FOREIGN PATENT DOCUMENTS**

Examiner Signature	Date Considered
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard S.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbol as indicated on the document under WIPO Standard ST-40, if possible. <sup>6</sup>Legend is to place

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PTO/SB/08B (08-00)

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**Substitute for form 1449A/PTO**  
**INFORMATION DISCLOSURE**  
**STATEMENT BY APPLICANT**

Sheet

2

of

2

***Complete if Known***

Application Number	10/081,053
Filing Date	February 21, 2002
First Named Inventor	John Alan Miller
Group Art Unit	2151
Examiner Name	Not Yet Assigned
Attorney Docket Number	42P13415

## **OTHER ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Signature	Date Considered
-----------------------	--------------------

**Examiner:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication

<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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